

REMARKS

Claims 1-4, 6-8, 11-19, 22-33, and 35-43 are currently pending in the present application, with claims 1, 16, and 29-30 being written in independent form. Claims 1, 11-12, 16, 22-23, 29-30, and 39 have been amended for clarity. Claims 5, 9-10, 20-21, and 34 have been cancelled without prejudice or disclaimer, with claim 5 having been previously cancelled. Support for the amendments may also be found, for instance, in par. [0040] of the published application (US 2006/0021548). Thus, no new matter has been introduced into the claims.

Claim Rejections under 35 U.S.C. § 102 (JP '543)

Claims 1-4, 7-13, 15-18, 25, and 29 stand rejected under 35 U.S.C. § 102(a) as being anticipated by JP 2002-216543 (JP '543). Applicants respectfully traverse this rejection for the reasons below.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”¹

Without conceding as to any of the Examiner's assertions that are not specifically addressed herein, Applicants note that JP '543 fails, as a preliminary matter, to disclose or suggest “the resin binder being in a range of about **5 to 40 wt %**,” as recited by amended claims 1, 16, and 29. Rather, JP '543 teaches that the pyrrolidone (alleged “resin binder”) is only present at 1.5 weight percent.²

For at least the reasons above, there can be no anticipation with regard to claims 1, 16, and 29. Consequently, there can be no anticipation with regard to

¹ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

² JP '543: par. [0030] and [0032].

claims 2-4, 7-8, 11-13, 15 and claims 17-18, 25, at least by virtue of their dependency from claims 1 and 16, respectively. The rejections with regard to claims 9-10 have been rendered moot by the cancellation of those claims. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the above rejection.

Claim Rejections under 35 U.S.C. § 102 (Ishihara)

Claims 1-4, 7-13, 15-18, 25, 29-32, and 34 stand rejected under 35 U.S.C. § 102(a) as being anticipated by WO 02/081131 (Ishihara). Applicants respectfully traverse this rejection for the reasons below.

Without conceding as to any of the Examiner's assertions that are not specifically addressed herein, Applicants note that Ishihara fails, as a preliminary matter, to disclose or suggest "the resin binder being in a range of about **5 to 40 wt %**," as recited by amended claims 1, 16, and 29-30. As acknowledged by the Examiner, the matrix binder (alleged "resin binder") of Ishihara only amounts to "about 1% of the coating."³

For at least the reasons above, there can be no anticipation with regard to claims 1, 16, and 29-30. Consequently, there can be no anticipation with regard to claims 2-4, 7-8, 11-13, 15, claims 17-18, 25, and claims 31-32 at least by virtue of their dependency from claims 1, 16, and 30, respectively. The rejections with regard to claims 9-10 and 34 have been rendered moot by the cancellation of those claims. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the above rejection.

³ *Final Office Action (02/18/2010):* p. 3, ln. 9-13.

Claim Rejections under 35 U.S.C. § 103 (Kawamoto + [JP '543 or Ishihara])

Claims 1-4 and 6-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 6,632,274 (Kawamoto) in view of JP '543 or Ishihara. Applicants respectfully traverse this rejection for the reasons below.

The above-discussed deficiencies with regard to JP '543 and Ishihara are also applicable to this rejection. Furthermore, the additional teachings of Kawamoto fail to remedy the deficiencies of JP '543 and Ishihara.

For at least the reasons above, a *prima facie* case of obviousness cannot be established with regard to claims 1, 16, and 29-30. Consequently, a *prima facie* case of obviousness cannot be established with regard to claims 2-4, 6-8, 11-15, 37, claims 17-19, 22-28, 38-41, claim 42, and claims 31-33, 35-36, 43, at least by virtue of their dependency from claims 1, 16, 29, and 30, respectively. The rejections with regard to claims 9-10, 20-21, and 34 have been rendered moot by the cancellation of those claims. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the above rejection.

CONCLUSION

In view of the above, Applicants respectfully request the Examiner to allow all of the pending claims in the present application.

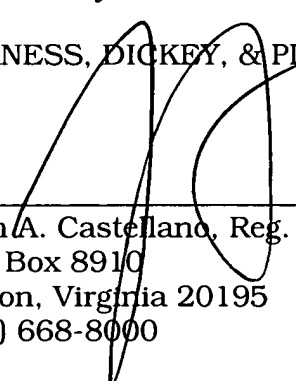
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



John A. Castellano, Reg. No. 35,094
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JAC/ACC:vrj
Acc